

Response
Application No. 10/696,037
Attorney Docket No. 032054

REMARKS

Claims 1, 2 and 13 are pending in the application. Claims 3-12 are withdrawn.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 2 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Lui** (Pub. No. US 2002/0050983) in view of **Ross-Messemer** (U.S. Patent No. 6,885,491). Favorable reconsideration is requested.

Liu discloses a touch panel system wherein an excitation section and a receiving section are provided on a substrate, and a position of an object in contact is detected via propagation of surface acoustic waves.

As acknowledged by the Office Action, Liu does not disclose a control section for controlling the wave number of the burst wave to be applied to the excitation section, based on the strength of surface acoustic waves measured by the measuring section. (Office Action, page 2.) However, the Office Action cites Ross-Messemer for disclosing this feature.

Applicants respectfully submit that Ross-Messemer does not teach or suggest “a control section for controlling the wave number of the burst wave to be applied to said excitation section, based on the strength of surface acoustic waves measured by the measuring section” as recited in claim 1 and the method step as similarly recited in claim 13.

The Office Action cites Ross-Messemer at col. 4, lines 26-31 and col. 15, lines 36-65 for disclosing this feature. However, Ross-Messemer specifically discloses a control means for controlling the *frequency* of surface acoustic waves to be excited, based on the strength of the

surface acoustic waves. (Col. 4, lines 26-31.) Ross-Messemer does not disclose a control means for controlling the *wave number* of the burst wave to be applied to the excitation section as recited in claims 1 and 13.

Therefore, Lui in view of Ross-Messemer does not teach or suggest the elements as recited in claims 1 and 13.

Applicants respectfully submit that one of ordinary skill in the art would not have been motivated to combine Lui and Ross-Messemer, and thus, claims 1, 2 and 13 are non-obvious over the cited references.

Lui discloses an apparatus for the operation of touch-input devices. Ross-Messemer discloses a diffraction-optical component for providing a radiation-diffraction grating structure. The grating structure is provided by surface waves on a surface of a substrate for diffracting and deflecting an incident beam of light. (Col. 1, lines 10-15.) One of ordinary skill in the art of touch-input devices would not look to the art of diffraction-optical components for solving problems in the art of touch-input devices, and thus, there would have been no motivation to combine the references. Therefore, the present invention as recited in claims 1, 2 and 13 is non-obvious over the cited references.

For at least the foregoing reasons, claims 1, 2 and 13 are non-obvious over the cited references.

Accordingly, withdrawal of the rejection of claims 1, 2 and 13 is hereby solicited.

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In view of the above remarks, Applicants submit that the claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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